

CERTIFICATE OF SERVICE

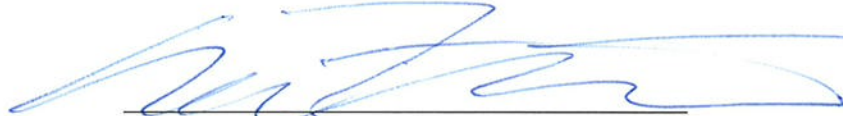
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I hereby certify that the original and one copy of the foregoing Consent Agreement and Final Order ("CAFO"), resolving *I/M/O City of Chesapeake*, Docket No. CWA-03-2011-0152 and Administrative Order for Compliance on Consent ("AOCC"), *I/M/O City of Chesapeake*, Docket No. CWA-03-2011-0153DN, have been filed with the EPA Region III Regional Hearing Clerk and that I caused true and correct copies of the CAFO and AOCC to be sent via Certified Mail, Return Receipt Requested and electronic mail to:

Ms. Kelly J. Lackey, Esq.
Assistant City Attorney
City of Chesapeake
306 Cedar Road
Chesapeake, VA 23322
klackey@cityofchesapeake.net

4/2/12
Date



Douglas Frankenthaler
Assistant Regional Counsel
U.S. Environmental Protection
Agency, Region III

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

SUBJECT: I/M/O City of Chesapeake, Docket No.
CWA-03-2011-0152

Date: March 29, 2012

FROM: Marcia Mulkey, Regional Counsel
Office of Regional Counsel

Jon Capacasa, Director
Water Protection Division

TO: Shawn Garvin
Regional Administrator

The attached Consent Agreement and Final Order (CAFO) resolves the Complaint filed against the City of Chesapeake, VA (Respondent) for violations of its MS4 Permit. The Respondent has agreed to pay \$30,000 (\$10,000 cash plus a \$20,000 SEP) to settle the allegations in the Complaint and to enter into an Administrative Order for Compliance on Consent (AOCC) requiring that it take steps to improve its MS4 program. The staff assigned to this matter from the Office of Regional Counsel and the Water Protection Division, have determined that the negotiated settlement is justified under EPA's CWA settlement policy and SEP policy. The CAFO settles violations of Section 301 of the Clean Water Act (CWA), 33 U.S.C. § 1311, and is authorized by Section 309(g) of the CWA, 33 U.S.C. § 1319(g).

The CAFO is being entered into pursuant to 40 C.F.R. § 22.18(b)(2).

We recommend that you sign the attached CAFO. Questions concerning this matter may be directed to Douglas Frankenthaler, Assistant Regional Counsel, at ext. 2472.

Cc: Kelly J. Lackey, Esq. Counsel for Respondent, City of Chesapeake

